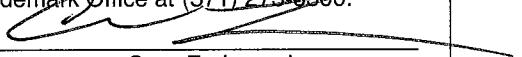


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Zucherman, et al.)
Serial No.: 10/790,651) PATENT PENDING
Filed: March 1, 2004) Examiner: Mr. Jerry L. Cumberledge
For: Method for Lateral Implantation of) Group Art Unit: 3733
Spinous Process Spacer) Confirmation No.: 9758
Docket No: 5910-168)

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
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5 March 2009	 Cora Fedornock
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RESPONSE TO FINAL OFFICE ACTION

This paper is being filed in response to the Final Action mailed 8 January 2009.

Reconsideration is respectfully requested in light of the amendments and/or remarks below. While no fees should be required for entry of this response, if any fees or charges are required, the Commissioner is hereby authorized to charge them to Deposit Account 18-1167.